

08-13-01

Box / Sequence A

NON-PROVISIONAL
UTILITY PATENT APPLICATION
TRANSMITTAL - 37 CFR 1.53(b)

☐ Duplicate
(check, if applicable)

Assistant Commissioner for Patents

BOX PATENT APPLICATION

Washington, DC 20231

Attorney Docket No. 029474-5006

First Named Inventor: Ivano Romano

Express Mail Label No. EL 719362796 US

Total Pages of Transmittal Form: 2

J1046 U.S. PTO

09/927811

08/09/01

Transmitted herewith for filing is the non-provisional utility patent application entitled:

HEAT-INDUCTIBLE PROMOTER

which is:

an ☐ Original; or

a ☒ Continuation, ☐ Divisional, or ☐ Continuation-in-part (CIP)

of prior Application No. PCT/EP00/01144 filed February 11, 2000.

Anticipated Group/Art Unit: _____ or Class _____, Subclass _____.

☒ This non-provisional patent application is based on Swiss Provisional Patent Application No. 1990 279/99, filed February 11, 1999.

Enclosed are:

- ☒ Specification (including Abstract) and claims: 43 pages + 2 pp of substitute sheet claims.
- ☐ Application Data Sheet.
- ☒ Newly unexecuted Declaration (original/copy).
- ☐ Copy of Declaration from prior application.
- ☐ Separate Power of Attorney (including 37 CFR 3.73(b) statement, if applicable).
- ☒ 13 sheets of drawings (formal) plus one copy.
- ☐ Microfiche computer program (Appendix).
- ☒ Nucleotide and/or Amino Acid Sequence Submission, including:
 - ☒ Computer readable copy ☒ Paper Copy ☒ Verified Statement.
- ☐ Under PTO-1595 Cover Sheet, an assignment of the invention
- ☒ Name of Assignee: Rhein Biotech Gesellschaft für Neue Biotechnologische, Prozesse und Produkte GmbH.
- ☐ Certified copy(ies) of _____ Application No(s). _____ filed _____ is/are filed:
 - ☐ herewith or ☐ in prior application &@.
- ☐ Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as ☐ an Independent Inventor, or ☐ a Small Business Concern, or ☐ a Non-Profit Organization.
- ☐ Preliminary Amendment.
- ☒ Information Disclosure Statement, PTO-1449, and cited references.
- ☐ Request for Nonpublication of Application Under 35 U.S.C. §122(b)
- ☒ Other: International Search Report

The filing fee is calculated as follows:

			SMALL ENTITY			LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC FEE:			BASIC FEE:	
			\$355			\$ 710.00	
Total	29-20 =	9	X 9	\$	OR	9X18	\$ 162.00
Independent	1 - 3 =	0	X40	\$	OR	X80	\$
[10] Multiple Dependent Claims Present			\$135	\$	OR	\$270	\$ 2,700.00
			TOTAL	\$	OR	TOTAL	\$ 3,572.00

- ☐ **The Commissioner is not authorized to charge the filing fee at this time as we elect to defer payment of the entire filing fee until receipt of a Notice to File Missing Parts.**
- ☒ A check in the amount of \$3,572.00 to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and/or credit **Deposit Account No. 50-0310** as noted below. A duplicate copy of this sheet is enclosed.
- ☒ Any overpayments or deficiencies in the above-calculated fee.
- ☐ Filing fee in the amount of \$_____ as calculated above.
- ☒ Any additional fees required under 37 C.F.R. § 1.16 and § 1.17.
- ☒ In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

CORRESPONDENCE ADDRESS:

FILED IN

August 10, 2001
Date

By:

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KD/ars
Enclosures

**PATENT
BOX SEQUENCE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re:	Patent Application of Ivano Romano	: Group Art Unit: Not Yet Assigned : : :
Appln. No.:	Not Yet Assigned	: Examiner: Not Yet Assigned : :
Filed:	Herewith	: : :
For:	Heat-Inducible Promoter	: Attorney Docket : No. 029474-5006

**STATEMENT TO SUPPORT FILING AND SUBMISSION
IN ACCORDANCE WITH 37 CFR §§ 1.821 THROUGH 1.825**

- (x) I hereby state, in accordance with the requirements of **37 C.F.R. §1.821(f)**, that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with **37 C.F.R. §1.821(c)** and **(e)**, respectively are the same.
- () I hereby state that the submission filed in accordance with **37 C.F.R. §1.821(g)** does not include new matter.
- (x) I hereby state that the submission filed in accordance with **37 C.F.R. §1.821(h)** does not include new matter or go beyond the disclosure in the international application as filed.
- () I hereby state that the amendments, made in accordance with **37 C.F.R. §1.825(a)**, included in the initial/substitute sheet(s) of the Sequence Listing are supported in the application, as filed, at pages &@. I hereby state that the substitute sheets(s) of the Sequence Listing does(do) not include new matter.
- () I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 C.F.R. §1.825(b)**, is the same as the amended Sequence Listing.

[illegible]

Ivano Romano

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